

**REMARKS**

Claims 1-4 and 6-10 are pending in this application. Applicants appreciate the indication that claims 5 and 6 contain allowable subject matter.

By this Amendment, independent claims 1, 8 and 10 are amended to incorporate the allowable subject matter of claim 5. Claim 5 is canceled. Claim 6 is amended to depend from claim 1.

Claim 10 is also amended to recite a computer-readable storage medium.

Reconsideration of the application is respectfully requested.

The Office Action rejects claim 10 under 35 U.S.C. §101. Claim 10 is amended to recite a computer-readable storage medium, as outlined above. Accordingly, withdrawal of the rejection of claim 10 under 35 U.S.C. §101 is respectfully requested.

The Office Action provisionally rejects claims 1-10 on the ground of non-statutory obviousness-type double patenting over claims 1-7 over U.S. Patent Application No. 10/779,757. A Terminal Disclaimer is concurrently filed herewith to overcome this rejection. Accordingly, withdrawal of the rejection of claims 1-10 on the grounds of non-statutory type obviousness-type double patenting is respectfully requested.

The Office Action rejects claims 1-4 and 7-10 under 35 U.S.C. §102(e) over U.S. Patent No. 7,113,648<sup>1</sup> to Aihara; and rejects claims 1-4 and 7-10 under 35 U.S.C. §102(b) over U.S. Patent No. 5,978,029 to Boice et al. Independent claims 1, 8 and 10 are amended to incorporate the allowable subject matter of claim 5, as outlined above. Accordingly, claims 1, 8 and 10, and claims 2-4, 7 and 9 depending therefrom are patentable over the applied references. Accordingly, withdrawal of the rejection of claims 1-4 and 7-10 under 35 U.S.C. §102(e) and 102(b) is respectfully requested.

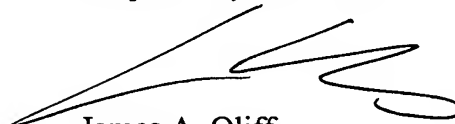
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<sup>1</sup> The Office Action erroneously identifies this reference as U.S. Patent No. 7,113,649.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Gang Luo  
Registration No. 50,559

JAO:GL/jth

Attachment:  
Terminal Disclaimer

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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